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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

		Application Number	10/682,332
		Filing Date	October 8, 2003
		First Named Inventor	David L. SHELTON
		Art Unit	1644
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission	43 + 233 Refs.	Attorney Docket Number	514712000600

### ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input checked="" type="checkbox"/> Information Disclosure Statement (3 pages) <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address (1 page) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. Form PTO-1449 (17 pages in duplicate) 2. Statement Under 37 CFR 3.73(b) w/copy of Assignment (4 pages total) 3. References (233) 4. Return receipt postcard
<input type="checkbox"/> Remarks		

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	MORRISON & FOERSTER LLP Jie Zhou - 52,395	(Customer No. 25226)
Signature		
Date	June 23, 2004	

I hereby certify that this correspondence is being deposited with the U.S. Postal Service with sufficient postage as First Class Mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: June 23, 2004

Signature: (Martina Placid)



PATENT  
Docket No. 514712000600

CERTIFICATE OF MAILING BY "FIRST CLASS MAIL"

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on June 23, 2004.

*Martina Placid*

Martina Placid

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

David L. SHELTON et al.

Serial No.: 10/682,332

Filing Date: October 8, 2003

For: METHODS FOR TREATING PAIN BY  
ADMINISTERING A NERVE GROWTH  
FACTOR ANTAGONIST AND AN  
OPIOID ANALGESIC AND  
COMPOSITIONS CONTAINING THE  
SAME

Examiner: Not Yet Assigned

Group Art Unit: 1644

**INFORMATION DISCLOSURE  
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO-1449. Pursuant to the USPTO notice dated July 11, 2003, waiving the requirement under 37 C.F.R. § 1.98 (a)(2)(i) to provide copies of U.S. Patents and U.S. Published Applications, copies of those references are not submitted. Copies of foreign documents and non-patent literature are submitted herewith.

Copies of co-pending applications are also submitted herewith. The Examiner is requested to make these documents of record.

This Information Disclosure Statement is submitted:

- With the application; accordingly, no fee or separate requirements are required.
- Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97(e)(1) has been provided.
- After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
  - A fee is required. A check in the amount of \_\_ is enclosed.
  - A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of \_\_ is enclosed.
  - A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO-1449, indicating that the information has been considered and made of record herein.

The information contained in this Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does

not exist; (iii) the information, protocols, results and the like reported by third parties are accurate or enabling; or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing **514712000600**. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: June 23, 2004

Respectfully submitted,

By: Jie Zhou

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<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>	Docket Number 514712000600		Application Number 10/682,332
	Applicant David L SHELTON et al.		
	Filing Date October 8, 2003	Group Art Unit 1644	
	Mailing Date June 23, 2004		

## U.S. PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Name	Class	Subclass	Filing Date If Appropriate
	1.	10/08/2003	10/682,331	Shelton et al.			
	2.	10/08/2003	10/682,638	Shelton et al.			
	3.	12/24/2003	10/745,775	Pons et al.			
	4.	02/19/2004	10/783,730	Shelton et al.			
	5.	03/01/2004	10/791,162	Shelton et al.			
	6.	11/29/2001	2001/0046959	Buchovich et al.			
	7.	03/07/2002	2002/0028779	High et al.			
	8.	11/20/1973	3,773,919	Boswell et al.			
	9.	11/27/1984	4,485,045	Regen			
	10.	10/01/1985	4,544,545	Ryan et al.			
	11.	06/30/1987	4,676,980	Segal et al.			
	12.	07/28/1987	4,683,195	Mullis et al.			
	13.	07/28/1987	4,683,202	Mullis			
	14.	06/28/1988	4,754,065	Levenson et al.			
	15.	10/11/1988	4,777,127	Suni et al.			
	16.	01/24/1989	4,800,159	Mullis et al.			
	17.	03/28/1989	4,816,567	Cabilly et al.			
	18.	05/07/1991	5,013,556	Woodle et al.			
	19.	09/10/1991	5,047,335	Paulson et al.			
	20.	07/14/1992	5,130,311	Guillaumet et al.			
	21.	09/15/1992	5,147,294	Smith et al.			
	22.	06/15/1993	5,219,740	Miller et al.			
	23.	01/11/1994	5,278,299	Wong et al.			
	24.	08/30/1994	5,342,942	Jaen et al.			
	25.	04/25/1995	5,409,944	Black et al.			
	26.	06/06/1995	5,422,120	Kim			

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EXAMINER: Initial if citation considered, whether or not the citation conforms with MPEP 609. Draw a line through the citation if not in conformance and not considered. Include a copy of this form with next communication to applicant.

<b>Form PTO-1449</b> <b>INFORMATION DISCLOSURE CITATION</b> <b>IN AN APPLICATION</b> <i>(Use several sheets if necessary)</i>		Docket Number 514712000600		Application Number 10/682,332		
		Applicant		David L SHELTON et al.		
		Filing Date October 8, 2003		Group Art Unit 1644		
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	27.	07/25/1995	5,436,265	Black et al.			
	28.	12/19/1995	5,475,995	Livingston			
	29.	03/19/1996	5,500,362	Robinson et al.			
	30.	04/23/1996	5,510,261	Goochée et al.			
	31.	04/23/1996	5,510,368	Lau et al.			
	32.	05/28/1996	5,521,213	Prasit et al.			
	33.	06/25/1996	5,530,101	Queen et al.			
	34.	07/16/1996	5,536,752	Ducharme et al.			
	35.	08/13/1996	5,545,806	Lonberg et al.			
	36.	08/13/1996	5,545,807	Surani et al.			
	37.	08/27/1996	5,550,142	Ducharme et al.			
	38.	09/03/1996	5,552,422	Gauthier et al.			
	39.	10/15/1996	5,565,332	Hoogenboom et al.			
	40.	10/29/1996	5,569,825	Lonberg et al.			
	41.	12/03/1996	5,580,717	Dower et al.			
	42.	12/03/1996	5,580,859	Felgner et al.			
	43.	12/17/1996	5,585,089	Queen et al.			
	44.	01/14/1997	5,593,994	Batt et al.			
	45.	02/18/1997	5,604,253	Lau et al.			
	46.	02/18/1997	5,604,260	Guay et al.			
	47.	04/01/1997	5,616,601	Khanna et al.			
	48.	04/29/1997	5,625,126	Lonberg et al.			
	49.	05/27/1997	5,633,425	Lonberg et al.			
	50.	06/17/1997	5,639,780	Lau et al.			
	51.	08/26/1997	5,661,016	Lonberg et al.			
	52.	12/02/1997	5,693,761	Queen et al.			
	53.	12/02/1997	5,693,762	Queen et al.			
	54.	03/31/1998	5,733,743	Johnson et al.			
	55.	05/12/1998	5,750,373	Garrard et al.			

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		Applicant		David L SHELTON et al.		
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	59.	10/13/1998	5,821,337	Carter et al.			
	60.	12/01/1998	5,844,092	Presta et al.			
	61.	02/02/1999	5,866,692	Shitara et al.			
	62.	03/02/1999	5,877,016	Presta et al.			
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	64.	11/09/1999	5,981,568	Kunz et al.			
	65.	12/07/1999	5,997,867	Waldmann et al.			
	66.	01/25/2000	6,017,878	Saragovi et al.			
	67.	04/25/2000	6,054,297	Carter et al.			
	68.	10/03/2000	6,127,401	Singh et al.			
	69.	11/28/2000	6,153,189	Presta et al.			
	70.	01/30/2001	6,180,370	Queen et al.			
	71.	01/30/2001	6,180,377	Morgan et al.			
	72.	04/03/2001	6,210,671	Co			
	73.	07/24/2001	6,265,150	Terstappen et al.			
	74.	09/18/2001	6,291,247	Riopelle et al.			
	75.	10/23/2001	6,306,849	Hudkins et al.			
	76.	12/18/2001	6,331,415	Cabilly et al.			
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	79.	04/23/2002	6,376,471	Lawrence, III et al.			
	80.	07/02/2002	6,413,942	Felgner et al.			
	81.	08/20/2002	6,436,908	Koch et al.			
	82.	01/14/2003	6,506,559	Fire et al.			

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### FOREIGN PATENT DOCUMENTS

Examiner Initials	Ref. No.	Date	Document No.	Country	Class	Subclass	Translation YES      NO
	83.	12/06/1989	EP 0 345 242	Europe			Abstract
	84.	12/23/1992	EP 0 519 596	Europe			
	85.	02/03/1993	EP 0 524 968	Europe			
	86.	08/10/1988	GB 2,200,651	Great Britain			
	87.	07/30/1987	WO 87/04462	WIPO			
	88.	10/05/1989	WO 89/09225	WIPO			
	89.	07/26/1990	WO 90/07936	WIPO			
	90.	10/04/1990	WO 90/11092	WIPO			
	91.	01/10/1991	WO 91/00360	WIPO			
	92.	03/07/1991	WO 91/02805	WIPO			
	93.	10/03/1991	WO 91/14445	WIPO			
	94.	11/26/1992	WO 92/20373	WIPO			
	95.	03/04/1993	WO 93/03769	WIPO			
	96.	04/01/1993	WO 93/06213	WIPO			
	97.	05/27/1993	WO 93/10218	WIPO			
	98.	06/10/1993	WO 93/11230	WIPO			
	99.	09/30/1993	WO 93/19191	WIPO			Abstract
	100.	12/23/1993	WO 93/25234	WIPO			
	101.	12/23/1993	WO 93/25698	WIPO			
	102.	02/17/1994	WO 94/03622	WIPO			
	103.	03/03/1994	WO 94/04690	WIPO			
	104.	06/09/1994	WO 94/12649	WIPO			
	105.	10/27/1994	WO 94/23697	WIPO			
	106.	12/22/1994	WO 94/28938	WIPO			
	107.	01/05/1995	WO 95/00655	WIPO			
	108.	03/23/1995	WO 95/07994	WIPO			

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109.	05/04/1995	WO 95/11984	WIPO				
110.	05/26/1995	WO 95/13796	WIPO				
111.	11/16/1995	WO 95/30763	WIPO				
112.	06/06/1996	WO 96/17072	WIPO				
113.	05/01/1997	WO 97/15593	WIPO				
114.	06/19/1997	WO 97/21732	WIPO				
115.	11/13/1997	WO 97/42338	WIPO				
116.	02/12/1998	WO 98/06048	WIPO				
117.	04/30/1998	WO 98/17278	WIPO				
118.	10/21/1999	WO 99/53055	WIPO				
119.	11/18/1999	WO 99/58572	WIPO				
120.	09/14/2000	WO 00/53211	WIPO				
121.	11/23/2000	WO 00/69829	WIPO				
122.	12/07/2000	WO 00/73344	WIPO				
123.	04/19/2001	WO 01/27160	WIPO				
124.	04/26/2001	WO 01/29058	WIPO				
125.	09/07/2001	WO 01/64247	WIPO				
126.	10/25/2001	WO 01/78698	WIPO				
127.	12/06/2001	WO 01/92513	WIPO				
128.	02/28/2002	WO 02/15924	WIPO				
129.	03/07/2002	WO 02/17914	WIPO				
130.	03/14/2002	WO 02/20479	WIPO				
131.	06/06/2002	WO 02/44321	WIPO				
132.	12/05/2002	WO 02/96458	WIPO				

**OTHER DOCUMENTS**

*(including author, title, Date, Pertinent Pages, Etc.)*

Examiner Initials	Ref. No.	Title
	133.	Adey, N.B. et al. (1996). "Preparation of Second-Generation Phage Libraries" Chapter 16 <u>In Phage Display of Peptides and Proteins: A Laboratory Manual</u> Kay, B.K. et al. eds. Academic Press, Inc.: San Diego, CA pp.277-291.

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134.	Agrawal, S. et al. (1998). "Mixed Backbone Oligonucleotides: Improvement in Oligonucleotide-Induced Toxicity <i>In Vivo</i> ," <i>Antisense &amp; Nucleic Acid Drug Development</i> 8:135-139.
135.	Aley, K.O. et al. (1996). "Delayed Sympathectomy After a Prolonged Hyperalgesia Results in a Subsequent Enhanced Acute Hyperalgesic Response," <i>Neuroscience</i> 71(4):1083-1090.
136.	Al-Lazikani, B. et al. (1997). "Standard Conformations for the Canonical Structures of Immunoglobulins," <i>J. Molec. Biol.</i> 273:927-948.
137.	Aloe, L. et al. (1992). "Nerve Growth Factor and Distribution of Mast Cells in the Synovium of Adult Rats," <i>Clin. Exp. Rheumatol.</i> 10:203-204.
138.	Aloe, L. et al. (1992). "Nerve Growth Factor in the Synovial Fluid of Patients with Chronic Arthritis," <i>Arch. Rheum.</i> 35(3):351-355.
139.	Aloe, L. et al. (1993). "Level of Nerve Growth Factor and Distribution of Mast Cells in the Synovium of Tumour Necrosis Factor Transgenic Arthritic Mice," <i>Int. J. Tissue Reactions</i> 15(4):139-143.
140.	Aloe, L. et al. (1995). "Effect of NGF Antibodies on Mast Cell Distribution, Histamine and Substance P Levels in the Knee Joint of TNF-Arthritic Transgenic Mice," <i>Rheumatol. Int.</i> 14:249-252.
141.	Amann, R. et al. (1996). "Intraplantar Injection of Nerve Growth Factor into the Rat Hind Paw: Local Adema and Effects on Thermal Nociceptive Threshold," <i>Pain</i> 64:323-329.
142.	Andreev, N.Y. et al. (1995). "Peripheral Administration of Nerve Growth Factor in the Adult Rat Produces a Thermal Hyperalgesia that Requires the Presence of Sympathetic Post-Ganglionic Neurones," <i>Pain</i> 63:109-115.
143.	Apfel, S.C. et al. (1996). "Nerve Growth Factor Regulates the Expression of Brain-Derived Neurotrophic Factor mRNA in the Peripheral Nervous System," <i>Mol. Cell. Neurosci.</i> 7:134-142.
144.	Armour, K. L. et al. (1999). "Recombinant Human IgG Molecules Lacking Fc $\gamma$ Receptor I Binding and Monocyte Triggering Activities," <i>Eur. J. Immunol.</i> 29:2613-2624.
145.	Balint, R. F. et al. (1993). "Antibody Engineering By Parsimonious Mutagenesis," <i>Gene</i> 137:109-118.
146.	Bird, R.E. et al. (1988). "Single-Chain Antigen-Binding Proteins," <i>Science</i> 242:423-426.
147.	Bischoff, S.C. et al. (1992). "Effect of Nerve Growth Factor on the Release of Inflammatory Mediators by Mature Human Basophils," <i>Blood</i> 79(10):2662-2669.
148.	Boerner, P. et al. (1991). "Production of Antigen-Specific Human Monoclonal Antibodies From In Vitro-Primed Human Splenocytes," <i>J. Immunol.</i> 147(1):86-95.
149.	Boettger, M.K. et al. (2002). "Calcium-Activated Potassium Channel SK1- and IK1-like Immunoreactivity in Injured Human Sensory Neurones and its Regulation by Neurotrophic Factors," <i>Brain</i> 125:252-263.
150.	Borsani, G. et al. (1990). "cDNA Sequence of Human $\beta$ -NGF," <i>Nuc. Acids Res.</i> 18(13):4020.

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		Applicant David L SHELTON et al.	
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	151.	Boyd, P.N. et al. (1996). "The Effect of the Removal of Sialic Acid, Galactose and Total Carbohydrate on the Functional Activity of Campath-1H," <i>Mol. Immunol.</i> 32(17/18):1311-1318.
	152.	Bracci Laudiero, L. et al. (1992). "Multiple Sclerosis Patients Express Increased Levels of $\beta$ -Nerve Growth Factor in Cerebrospinal Fluid," <i>Neurosci Lett.</i> 147:9-12.
	153.	Bracci-Laudiero, L. et al. (1993). "Increased Levels of NGF in Sera of Systemic Lupus Erythematosus Patients," <i>Neuroreport</i> 4(5):563-565.
	154.	Braun, A. et al. (1998). "Role of Nerve Growth Factor in a Mouse Model of Allergic Airway Inflammation and Asthma," <i>Eur. J. Immunol.</i> 28:3240-3251.
	155.	Brennan, T.J. et al. (1996). "Characterization of a Rat Model of Incisional Pain," <i>Pain</i> 64:493-501.
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	157.	Brown, B.A. et al. (1987). "Tumor-Specific Genetically Engineered Murine/Human Chimeric Monoclonal Antibody," <i>Cancer Res.</i> 47:3577-3583.
	158.	Buchman, V.L. et al. (1993). "Different Neurotrophins are Expressed and Act in a Developmental Sequence to Promote the Survival of Embryonic Sensory Neurons," <i>Development</i> 118:989-1001.
	159.	Buck, D.W. et al. (1982). "Monoclonal Antibodies Specific For Cell Culture Mycoplasmas," <i>In Vitro</i> 18(4):377-381.
	160.	Capel, P.J.A. et al. (1994). "Heterogeneity of Human IgG Fc Receptors," <i>Immunomethods</i> 4:25-34.
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